

Chairman Rod Johnson called the regularly scheduled meeting to order at 10:00 a.m. with Commissioners Boyle, Johnson, Landis, Schram and Vap present. Chairman Johnson invited the public to address the Commission. Chairman Johnson also announced that a copy of the Nebraska Open Meetings Act was available in the meeting room. No announcements were made.

GENERAL ADMINISTRATION

Notice was duly published September 11, 2007 on Page 9 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held September 18, 2007 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, September 18, 2007:

LR-282 Commission Hearing Room, Lincoln.
1:30 In the Matter of VIP Limobus, LLC, Omaha, seeking authority to adjust its rates and charges. Commissioner Johnson presiding as Hearing Officer.

Wednesday, September 19, 2007:

E-2156 Commission Hearing Room, Lincoln.
2:30 In the matter of Twin Valleys Public Power District, Cambridge, seeking authority to construct, operate and maintain an electric transmission line in Furnas County. Commissioner Vap presiding as Hearing Officer.

COMMUNICATIONS DEPARTMENT

Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter orders granting applications AD-399r through AD-406r. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

AD-399r In the Matter of Alliance One Receivables Management, Inc., Mendota Heights, Minnesota, seeking to register the connection of an automatic dialing-announcing device in Anderson, Indiana.

AD-400r In the Matter of Alliance One Receivables Management, Inc., Mendota Heights, Minnesota, seeking to register the connection of an automatic dialing-announcing device in Maumee, Ohio.

COMMUNICATIONS DEPARTMENT (Cont.)

- AD-401r In the Matter of Alliance One Receivables Management, Inc., Mendota Heights, Minnesota, seeking to register the connection of an automatic dialing-announcing device in Eagan, Minnesota.
- AD-402r In the Matter of Alliance One Receivables Management, Inc., Mendota Heights, Minnesota, seeking to register the connection of an automatic dialing-announcing device in Mendota Heights, Minnesota.
- AD-403r In the Matter of Alliance One Receivables Management, Inc., Mendota Heights, Minnesota, seeking to register the connection of an automatic dialing-announcing device in San Diego, California.
- AD-404r In the Matter of Alliance One Receivables Management, Inc.,
AD-405r Mendota Heights, Minnesota, seeking to register the connection of automatic dialing-announcing devices in Trevose, Pennsylvania.
- AD-406r In the Matter of Alliance One Receivables Management, Inc., Mendota Heights, Minnesota, seeking to register the connection of an automatic dialing-announcing device in Toronto, Canada.
- C-3827 In the Matter of Cause Based Commerce Incorporated, d/b/a The Sienna Group, Cincinnati, Ohio, seeking authority to operate as a resale interexchange carrier of telecommunications services within the State of Nebraska: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.
- C-3840 In the Matter of Global Capacity Group, Inc., Houston, Texas, seeking authority to operate as a reseller and facilities-based/UNE common carrier of local exchange and Interexchange telecommunications service: Motion made by Commissioner Anne Boyle, seconded by Commissioner Frank Landis, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.
- C-3848 In the Matter of CenCom, Inc., d/b/a NNTC Long Distance, Jackson, and Clarks Telecom Long Distance, Jackson, seeking approval of a proposed customer base transfer: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

FC-1328 In the Matter of Thomas M. White, Omaha vs. Mark Quandahl, Omaha, and the Nebraska Republican Party, Lincoln, alleging the use of an automatic dialing-announcing device to place telephone calls in violation of Nebraska law and Commission regulations: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order issuing Commission findings and dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Nichole Underhill briefed the Commission about the Regional Oversight Committee resolution supporting multi-state collaborative discussions regarding Qwest's Performance Assurance Plans and Performance Indicators: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to approve the staff recommendation to support the resolution. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Steve Stovall informed the Commission of the August 28, 2007, letter received from Hamilton Telecommunications seeking permission to dispose of the July 1, 1997, to June 30, 2002, Relay records: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to grant the request for disposal of the records. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter orders granting applications E-2158 through E-2159. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

E-2158 In the Matter of Lincoln Electric System, Lincoln, seeking
E-2159 authority to construct, operate and maintain electric
transmission lines in Lancaster County.

Steve Stovall briefed the Commission on his recent attendance at the National Association of State Relay Administration Conference held in Missoula, Montana.

E-2137 In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Dakota County: Nichole Underhill informed the Commission that a Hearing Officer Order was entered September 18, 2007 rescheduling the September 18, 2007 hearing to October 17, 2007 at 1:30 p.m. in the Commission Hearing Room, Lincoln.

COMMUNICATIONS DEPARTMENT (Cont.)

E-2156 In the Matter of Twin Valleys Public Power District, Cambridge, seeking authority to construct, operate and maintain an electric transmission line in Furnas County: Nichole Underhill informed the Commission that a Hearing Officer Order was entered September 11, 2007, scheduling a hearing for September 19, 2007, at 2:30 p.m. in the Commission Hearing Room, Lincoln.

E-2157 In the Matter of Nebraska Public Power District, Columbus, seeking authority to construct, operate and maintain an electric transmission line in Scotts Bluff County: Nichole Underhill informed the Commission that a Hearing Officer Order was entered September 18, 2007 rescheduling the September 18, 2007 hearing to October 17, 2007 at 1:30 p.m. in the Commission Hearing Room, Lincoln.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-023.58 In the Matter of Thayer County, Hebron, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order approving funding for GIS data. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-029 In the Matter of the Commission, on its own motion, seeking to establish testing standards for the implementation of Enhanced Wireless 911: Motion made by Commissioner Frank Landis, seconded by Commissioner Anne Boyle, to enter an order granting an Alltel Communications' waiver request for testing requirements. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

911-030.02 In the Matter of Jeffrey L. Pursley, Director, Nebraska Telecommunications Infrastructure and Public Safety Department, Complainant v. Viaero Wireless, Respondent(s): Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NUSF-25, In the Matter of the Commission, on its own motion, seeking PO #21 and to establish guidelines for the purpose of certifying the NUSF-66 use of federal universal service support: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter a joint-docket order certifying non-rural Nebraska carriers for high-cost support. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-37 In the Matter of Jeffrey L. Pursley, Director, Nebraska
.112 Telecommunications Infrastructure and Public Safety Depart-
 ment, Complainant v. Telrite Corporation, Respondent(s):
Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim
Schram, to enter an order dismissing the complaint. Motion passed with
Commissioners Boyle, Johnson, Landis, Schram and Vap voting AYE.

NUSF-1, In the Matter of the Commission, on its own motion, seeking
PO #5 to establish guidelines for administration of the Nebraska
PO #7 Universal Service Fund: Motion made by Commissioner Frank
 Landis, seconded by Commissioner Jerry Vap, to accept audit
language that deviates from the approved Agreed Upon Procedures for
the Nebraska NUSF Payment and Remittance Audits. Motion passed with
Commissioners Boyle, Johnson, Landis, Schram and Vap voting AYE.

Shana Knutson discussed the NUSF Late-Filed Carrier Remit-
tances and recommended that the Commission levy late fees against
Cricket Communications and Global Tel*Link Corporation, that the
current complaints opened against CTC Communications Corporation,
Ernest Communications and Opex Communications be amended to include
the late-filed second quarterly worksheets, and that new complaints be
opened against Easton Telecom Services, LLC and Movida Communications.
Ms. Knutson also recommended that the one-time waiver request of Con-
sumer Cellular, Inc. be granted for the late-filed 2nd Quarter, 2007
worksheet. Motion made by Commissioner Jerry Vap, seconded by Commis-
sioner Frank Landis, to grant the recommendations. Motion passed with
Commissioners Boyle, Johnson, Landis, Schram and Vap voting AYE.

NATURAL GAS DEPARTMENT

NG-0041/ In the Matter of Aquila, Inc., d/b/a Aquila Networks
HS-0012 (Aquila), Omaha, seeking individual general rate increases
 for Aquila's Rate Area One, Rate Area Two, and Rate Area
Three. Commissioner Landis presiding as Hearing Officer: Motion made
by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to
enter Assessment Order HS-0012 to correct Assessment Order No. HS-0011
entered on September 11, 2007. Motion passed with Commissioners Anne
Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

NG-0051/ In the Matter of the Commission, on its own motion, seeking
PI-130 to investigate jurisdictional issues pertaining to con-
 struction and operation of a natural gas pipeline within
the state of Nebraska by Nebraska Resources Company, LLC, or any other
entity. Commissioner Johnson presiding as Hearing Officer: Motion
made by Commissioner Frank Landis, seconded by Commissioner Tim
Schram, to enter an order granting interventions. Motion passed with
Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and
Jerry Vap voting AYE. Angela Melton discussed the Prehearing Confer-
ence Order entered by the Hearing Officer on September 17, 2007.

NATURAL GAS DEPARTMENT (Cont.)

FC-1327 In the Matter of the Nebraska Public Advocate, seeking a determination that Kinder Morgan, Inc. and/or its successor in interest, SourceGas Distribution, LLC improperly implemented, billed and received payment for interim and final rates in NG-0036 for which customers are entitled to a credit or refund from Kinder Morgan, Inc. and/or SourceGas Distribution, LLC. Commissioner Vap presiding as Hearing Officer: Angela Melton discussed an order entered by the Hearing Officer on September 13, 2007, rescheduling the oral argument previously scheduled for September 26, 2007, to October 30, 2007, at 1:30 p.m. in the Commission Hearing Room, Lincoln.

NG-0047/
DR-0002 In the Matter of the Petition of the Nebraska Public Advocate, seeking a Declaratory Ruling to determine that Kinder Morgan, Inc., n/k/a SourceGas Distribution LLC, improperly implemented interim and final rates in Docket NG-0036 for which customers are entitled to a credit or refund. Commissioner Vap presiding as Hearing Officer: Angela Melton discussed a Hearing Officer Order entered September 13, 2007, setting a procedural schedule and scheduling a hearing for October 30, 2007, at 1:30 p.m. immediately following the hearing in Docket FC-1327, in the Commission Hearing Room, Lincoln.

P-0012.5 In the Matter of Aquila, Inc., d/b/a Aquila Network, Omaha, providing notice required by Neb. Rev. Stat. Section 66-1863, as amended, that it intends to extend or enlarge its service area or extend a gas main: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order closing the application. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

RULES AND REGULATIONS

Rule and Regulation #162 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 12, Manufactured Housing Rules and Regulations, previously written under Title 178, Chapter 16, through Health and Human Services and to create an Ad Hoc Committee; correct technical errors, grammar, punctuation, spelling, sequential numbering and the like; and to reprint the chapter in its entirety: Mark Breiner informed the Commission that final rules were returned by the Attorney General for minor corrections.

Rule and Regulation #169 In the Matter of the Commission, on its own motion, seeking to amend Title 291, Chapter 7, Transmission Lines Rules and Regulations, to adopt the 2007 edition of the National Electrical Safety Code as the official rules of the Commission for the construction, operation, and maintenance of overhead and underground electric transmission lines: Mark Breiner informed the Commission final rules were approved by the Attorney General and will be forwarded to the Governor for approval.

TRANSPORTATION DEPARTMENT

B-1661 In the Matter of Heartland Gondolas, Inc., Omaha, seeking revocation and cancellation of the common carrier authority in Certificate B-1661: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order revoking the authority in Certificate B-1661. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

BR-328 In the Matter of Yellow Cab & Limo, Inc., Beatrice, seeking authority to adjust its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Jerry Vap, to enter an order granting the application on an emergency basis. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

LR-281 In the Matter of R&F Hobbies, d/b/a Aquila Limousine Service, Ravenna, seeking authority to adjust its rates and charges: Upon agreement of all Commissioners, a hearing was scheduled for October 2, 2007, at 1:00 p.m. in the Commission Hearing Room, Lincoln. Commissioner Landis was appointed as Hearing Officer.

LR-282 In the Matter of VIP Limobus, LLC, Omaha, seeking authority to adjust its rates and charges: Commissioner Boyle recused herself from the docket and Commissioner Johnson was appointed as Hearing Officer.

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Household Goods Tariff 7-F: The fuel surcharge was increased to 76 cents.

HOUSING AND RECREATIONAL VEHICLE DEPARTMENT

RVF-1 In the Matter of the Commission, on its own motion, seeking to determine the seal fee amount for the Recreational Vehicle Program: Commissioner Schram was appointed as Hearing Officer.

GENERAL ADMINISTRATION

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to approve the Deputy Director's recommendation for approval of the following Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap voting AYE, and Commissioner Frank Landis voting NAY.

Attorney General	\$	2,785.50
Cornhusker State Industries		557.00
Cornhusker State Industries		790.00

GENERAL ADMINISTRATION (Cont.)

DAS - Personnel	\$	725.00
University of Nebraska - Bureau of Business Research		26,548.50
Thomson West		713.90
Mark Breiner		553.17
Steve Stovall		791.44
Rod Johnson		833.29

Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to approve the Deputy Director's recommendation for Fred Massing to travel to Clay Center, Kansas, on September 18, 2007 to perform a modular housing unit factory inspection of Wardcraft Homes with all expenses, including time, to be reimbursed to the Commission by Wardcraft Homes. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to authorize Commissioner Anne Boyle to travel to Golden Valley, Minnesota on September 16 through 17, 2007 to participate on a field forum panel for US Senators Klobuchar/Rockefeller regarding S.2033 related to consumer empowerment over cell phone service contracts. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Deputy Director's recommendation to use an outside court reporter to prepare the Aquila appeal in Docket NG-0041. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram and Jerry Vap voting AYE.

Mark Luttich informed the Commission that the glass front doors are scheduled to be installed next week and the security card access system, which will be tied into the security system provided by the Department of Environmental Quality, will not be functional. A standard key system will be used temporarily on the glass doors. Mr. Luttich also explained that the relocation of the Executive Director's office/front conference room door to the conference room's east wall was based upon design criteria and security concerns. Commissioner Frank Landis exited the Commission Hearing Room. Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to relocate the door to its original intended location. Motion failed with Commissioner Anne Boyle voting AYE, Commissioners Rod Johnson, Tim Schram and Jerry Vap voting NAY, and Commissioner Frank Landis excused not voting.

The meeting adjourned at 10:55 a.m. with Commissioners Anne Boyle, Rod Johnson, Tim Schram and Jerry Vap present and Commissioner Frank Landis excused. The next regularly scheduled meeting will be held on September 25, 2007, at 10:00 a.m. with an agenda to be available in the office of the Deputy Director at 10:00 a.m. on September 24, 2007.

Chairman

Deputy Director